PATENT APPLICATION

RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 3663

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Toshihiro SHIMIZU et al.

Group Art Unit: 3663

Application No.: 09/598,270

Examiner: A. DIACOU

Filed: June 21, 2000

Docket No.: 106558

For: VEHICLE DRIVE ASSIST SYSTEM

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the May 16, 2007 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-16, 18-19, 26, and 87-102 are pending in this application, with claims 4, 6, 8-11, 13-16, 18-19, 90, 92, 94-97, and 99-101 being withdrawn from consideration.

A. Rejections Under 35 U.S.C. §102

Claims 1-3, 5, 12, 26, 87-89, 91 and 102 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,285,317 (Ong). This rejection is respectfully traversed.

Claim 1 recites, in part, a vehicle drive assist device comprising "*steering angle detecting means* for detecting a steering angle for steering the vehicle; *traveling path predicting means* for predicting a traveling path of the vehicle *on the basis of the steering*

angle detected by the steering angle detecting means; and drive assist means for overlaying on top of the image picked up by the camera drive assist information containing . . . *guide lines prolonged from lines defining the width of the vehicle on the image* . . . ."

First, Ong does not teach or suggest the claimed steering angle detecting means. Specifically, Ong discloses a navigation system 20 with a three-dimensional display. The system includes a *vehicle position* data provider 22 that provides real-time vehicle location information though the use of, for example, a global positioning system (GPS). The GPS receiver provides vehicle position data "indicative of *vehicle position*" (emphasis added). See col. 3, lines 15-17. Other positioning systems to provide vehicle position data may be used, such as Dead-Reckoning. See col. 20-23. Ong does not disclose steering angle detecting means or any method of detecting the *steering angle* of the vehicle. Instead, Ong discloses detecting the vehicle's *position* (i.e., the vehicle's *location*).

The Office Action asserts that Ong anticipates the claimed invention as vehicle position data can be obtained by "Dead-Reckoning" which uses "the on-board steering and sped [sic] measurements to determine position." However, the Office Action provides no support for this assertion. Applicants respectfully request that the Office Action provide evidence that Dead-Reckoning predicts a traveling path of a vehicle based on a *steering angle* detected by a *steering angle detecting means* so that Applicants may fully respond to the Office Action.

Second, Ong does not teach or suggest the claimed traveling path predicting means because, as discussed above, Ong does not teach or suggest predicting a traveling path based on the steering angle.

Third, Ong fails to teach or suggest the claimed drive assist means for overlaying "guide lines prolonged from lines defining width of the vehicle on the image." The Office Action cites to Figs. 7 and 8 and col. 6, line 30 - col. 7, line 7 as allegedly teaching this

feature. However, these figures and this portion of the specification do not disclose any guide lines, and merely show an arrow overlaid on an image. This arrow is not prolonged from lines defining the width of the vehicle. Instead, this arrow merely shows a path the vehicle should take if it follows the directions of the navigation system.

Fourth, the Office Action asserts the Ong anticipates dependent claims 3, 5, 89 and 91 because as Ong discloses a program that can render the surrounding area, this would require the "video controller" to "deal with brightness and color in the manner prescribed by claims 3-6." However, Ong's three dimensional graphic renderer merely converts a two dimensional map into a three dimensional scene. See Fig. 6. The renderer does not vary the brightness of the display "in accordance with a brightness of the environment," as recited in claim 3. Further, Ong does not teach a "brightness sensor for sensing a brightness of the environment to select an illumination system, and the drive assist means varies a brightness or a color arrangement of a display of the predictive traveling path and/or guide lines in accordance with a brightness sensed by the brightness sensor," as recited in claim 5.

For at least these reasons, withdrawal of the rejection of claims 1-3, 5, 12, 26, 87-89, 91 and 102 is respectfully requested.

B. <u>Rejections Under 35 U.S.C. §103</u>

The Office Action rejects claims 7, 9 and 93 under 35 U.S.C. §103(a) over Ong in view of U.S. Patent No. 5,742,141 (Czekaj). This rejection is respectfully traversed.

The Office Action asserts that as Czekaj discloses semiautonomous parking with a display for a driver, it would have been obvious to combine Czekaj with Ong "for the advantage of a more complete system." However this assertion is incorrect because (1) claims 7, 9, and 93 depend from allowable base claims; (2) Czekaj does not disclose the features of claims 7, 9 and 93; and (3) the Office Action's motivation to combine Czekaj with Ong is improper.

First, as discussed above, Ong does not teach or suggest each and every feature of the claimed invention. Czekaj fails to remedy this deficiency as it fails to teach the claimed steering angle detecting means, traveling path predicting means or guidelines.

Second, the Office Action does not point to any portions of Czekaj's specification that discloses the claimed parking drive judging means, parking end judging means, storing means, and select means. The mere teaching of "semiautonomous parking" does not teach or suggest the features of claims 7, 9 and 93. If the rejection of these claims is maintained, Applicants respectfully request that the Office Action point to specific portions of Czekaj's specification that disclose these features.

Third, the Office Action's motivation to combine to create a "more complete system" is improper. Specifically, the teaching or suggestion to make the claimed combination *must be found in the prior art.* See MPEP §2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. See MPEP §2143.01. The Office Action fails to show that the applied art suggests the need for a "more complete system." Further, the Office Action fails to show that the combination of the applied references even result in a "more complete system" or how the combined system is "more complete."

For at least these reasons, withdrawal of the rejection of claims 7, 93 and 98 is respectfully requested.

C. Rejoinder

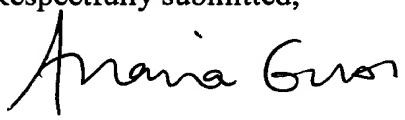
Applicants respectfully request rejoinder of claims 4, 6, 8-15, 90, 92 94-97, and 99-101, as these claims depend from or otherwise require all the limitations of an allowable base claim. Therefore, rejoinder is proper under MPEP §821.04.

D. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16, 18-19, 26, and 87-102 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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